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From-MARTIN &amp; FERRARO LLP

3308772030

T-801 P.004/013 F-811



Attorney Docket No. 115.0023-00000

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are stated below next to my name; I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMPROVED SURGICAL LIGATION CLIP, the specification of which  is attached and/or  was filed on November 12, 2002 as United States Application Serial No. 10/206,715 or PCT International Application No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(e)(1)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of my application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing
60/428,521	November 12, 2002

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and handle all business in the Patent and Trademark Office connected therewith. MARTIN & FERRARO LLP, Thomas H. Martin, Registration No. 34,385; Ameriko F. Ferraro, Registration No. 37,129; and Todd M. Martin, Registration No. 42,844. Please address all correspondence to:

Customer No. 22882  
MARTIN & FERRARO LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone No. (330) 877-0700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor John L. Shipp	Inventor's Signature John L. Shipp	Date 7/2/04
Residence Jacksonville Beach, Florida		Citizenship United States
Post Office Address 1221 1st Street South, Unit 7A, Jacksonville Beach, Florida 32250		

MARTIN &amp; FERRARO, LLP

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OPR/ASSIGNMENTS

3/10/03 11:13 PAGE 2/3 RightFAX

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Exhibit A

MARCH 10, 2003

PTAS

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NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

SHIPP, JOHN I.

DOC DATE: 01/31/2003

ASSIGNEE:

SURGICON, INC.  
400 LONG BEACH BOULEVARD  
STRATFORD, CONNECTICUT 06615

SERIAL NUMBER: 60425521

FILING DATE: 11/12/2002

PATENT NUMBER: .

ISSUE DATE:

LAZENA MARTIN, EXAMINER  
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PTO-5015 (08-04)  
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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: SURGICON, INC.

Application No./Patent No.: 19708715 Filed/Issue Date: November 12, 2003

Entitled: SURGICAL LIGATION CLIP

SURGICON, INC.

(Name of Assignee)

a corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013462, Frame 0000, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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[ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See M-P 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 2, 2004

Date

(203) 555-1177

Telephone number

Roberta Neapolitan

Typed or printed name

Hilary Silver

Signature

Title

Title

This collection of information is required by 37 CFR 3.73(d). This information is required to obtain or retain a benefit by the public which is to be had by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Including generating, preparing, and submitting the completed application form to the USPTO. The cost very depends upon the individual case. Any comments concerning the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND ANY COMMENTS OR REQUESTS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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